

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

WYETH,	:
	:
Plaintiff,	:
	:
v.	: Civil Action No. 06-222-JJF
	:
IMPAX LABORATORIES, INC.,	:
	:
Defendant.	:

O R D E R

Whereas, Plaintiff has filed a Motion to Compel (D.I. 52) seeking production of documents concerning the patents-in-suit, Defendant's product, and Defendant's ANDA;

Whereas, Defendant contends generally that the requests are overly broad and irrelevant to the current claims asserted in this litigation by Plaintiff;

Whereas, the Court finds that the production agreed by Defendant to be required in response to Plaintiff's request will meet Defendant's production obligations, except as to the generic immediate release venlafaxine formulation;

NOW THEREFORE, IT IS HEREBY ORDERED that:

1) Plaintiff, Wyeth's Motion To Compel Production of Documents (D.I. 52) is **DENIED**; except that Defendant shall produce, **within 30 days of the date of this Order**, all documents concerning any consideration by Defendant of development of a generic immediate release venlafaxine formulation prior to the filing of ANDA 78-057. The production agreed to by Defendant

shall be completed within **fifteen (15) days** from the date of this Order.

2) Paragraph 9 of the Scheduling Order prohibits letters, and therefore, Docket Item 60 is STRICKEN.

October 26, 2006  
DATE

  
UNITED STATES DISTRICT JUDGE